

EXPLANATORY NOTE

TO

BY-LAW NO. 212-2023

This By-law applies to the lands that are municipally known as 264 Erie Avenue. The subject lands are 0.43 hectares (1.06 acres) in area with approximately 32 m of frontage along Erie Avenue in the City of Brantford.

The property is currently zoned “Residential Type 1C Zone (F-R1C & R1C)” and the applicant is seeking to amend the zoning to “Residential Medium Density Type B – Exception 32 Zone (F-R4B-32 & R4B-32).” The property is partially located in a floodplain and therefore the “F” prefix is and will be applied to correspond with that portion of the subject lands. The purpose of this By-law is to facilitate the development of 47 apartment dwelling units within a four-storey apartment building. Site specific regulations are proposed to permit reductions to the required minimum lot area, amenity area, off-street parking spaces and drive aisle width for access to a loading space.

The lands are subject to site plan control which will allow for a review of the following matters including among other things, the placement of the buildings on the site, access, parking, grading and drainage, and landscaping and buffering etc. prior to the issuance of a building permit. The lands are also subject to a Holding (H) provision which is not to be removed until the Applicant has submitted a Stage 1 Archaeological Assessment and any subsequent assessments as required by the Ministry of Citizenship and Multiculturalism’s Standard and Guidelines for Consultant Archaeologists, as well as a Heritage Impact Assessment.

File No.: PZ-14-23
Applicant: MHBC Planning
Report No.: 2023-623

BY-LAW NUMBER 212-2023

-OF-

THE CORPORATION OF THE CITY OF BRANTFORD

By-law to amend By-law No. 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford.

WHEREAS the Council of the Corporation of the City of Brantford desires that By-law No. 160-90, as amended, be further amended as hereinafter set out;

AND WHEREAS such amendments will be within the terms and intent of the Official Plan for the City of Brantford;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD UNDER THE PROVISIONS OF SECTIONS 34 OF THE PLANNING ACT R.S.O. 1990 HEREBY ENACTS AS FOLLOWS:

1. SCHEDULE AMENDMENTS TO BY-LAW NO. 160-90

- .1 THAT Schedule "A" Map J-10 be amended as shown on Schedule "A", attached to and forming part of this By-law, and summarized as follows:

Part 1

Change from "Floodplain - Residential Type 1C Zone (F-R1C)" to "Holding - Floodplain - Residential Medium Density Type B Exception 32 Zone (H-F-R4B-32)."

Part 2

Change from "Residential Type 1C Zone (R1C)" to "Holding - Residential Medium Density Type B Exception 32 Zone (H-R4B-32)."

2. TEXT AMENDMENTS TO BY-LAW NO. 160-90

- .1 That Section 7.10.4 be amended by the addition of the following new subsection:

.32 264 Erie Avenue (H-R4B-32)

- .1 The lands zoned H-R4B-32 may only be used in accordance with the permitted uses upon the removal of the Holding (H) provision. Removal of the "H" may occur once the following provisions have been satisfied:

- .1 That the applicant has submitted a Stage 1 Archaeological Assessment and any subsequent assessments as required by the Ministry of Citizenship and Multiculturalism's Standard and Guidelines for Consultant Archaeologists, as amended from time to time, as well as copies of all letters from the Ministry of Citizenship and Multiculturalism verifying that archaeological assessments have been entered into the Ontario Public Register of Archaeological Reports, to the satisfaction of the Chief Planner.
 - .2 That the applicant has submitted a Heritage Impact Assessment for the subject property
- .2 Notwithstanding any provision of this By-law to the contrary, as shown on Schedule A, attached to and forming part of this By-law, any lot within the R4B-32 Zone may be used only for the following uses:
- .1 Apartment Dwellings; and
 - .2 Accessory uses, buildings, and structures
- .3 Notwithstanding any provision of this By-law to the contrary, no person shall within any R4B-32 Zone use any lot, or erect, alter or use any building or structure for the uses permitted in Section 7.10.4.32.2.1, except in accordance with the following provisions:
- .1 Lot Area (Minimum) 88 m² /unit
 - .2 Amenity Space 8.75 m²/unit
 - .3 Parking (Minimum) 1.36 spaces/unit
 - .4 Drive Aisle Width Notwithstanding Section 6.23.4.2, the driveway providing access to a loading space shall have a minimum width of 3.5 m for one-way traffic and 6.0 m for two-way traffic

That all the provisions of the R4A Zone in Section 7.10.2 to this By-law, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis

mutandis.”

3. EFFECTIVE DATE

.1 THAT this By-law shall become effective from and after the date of passing thereof.

READ THE FIRST TIME December 19, 2023

READ THE SECOND TIME December 19, 2023



PASSED December 19, 2023

MAYOR

CLERK



Schedule 'A'

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| <p>Legend</p> <p> Area to be rezoned</p> | <p>This is Schedule 'A' To Bylaw No. _____ to amend Zoning Bylaw No. 160-90 Schedule 'A' Map(s):</p> |
| <p> Scale: N.T.S. File Number: PZ-14-23</p> | <p>J-10</p> <p>Passed the ____ day of _____, 2023.</p> <p>_____</p> <p>MAYOR</p> <p>_____</p> <p>CLERK</p> |

